SPRING 2017

INVESTIGATORY STOPS

UPDATES AND FURTHER GUIDANCE ON

Special Order 504-13-09
CPD ISR ROLL CALL TRAINING
Availability of Additional Resources

Examples of Correct and Deficient ISRs

Common Errors: Pat Downs, Searches, and Receipts

When to complete an ISR

Levels of Encounters

Definitions Related to the Investigatory Stop System and

WITH THE FOLLOWING:

BY THE END OF THIS MODULE, THE TRAINEE SHOULD BE FAMILIAR

OVERVIEW
about to commit or has committed a criminal offense. Reasonable articulable suspicion that the person is committing an
An Investigatory Stop is the temporary detention and questioning
Custodial arrest
Investigatory Detention
Consensual Encounter
There are three levels of police officer-citizen encounters:

THREE LEVELS OF ENCOUNTERS
Probable Cause

- Probable Cause – Probable cause exists where the police have knowledge of facts that would lead a reasonable person to believe that a crime has occurred and that the subject has committed it.

- This **differs from Reasonable Articulable Suspicion** in that the facts supporting RAS do not need to meet probable cause requirements, but they must justify more than a mere hunch. The facts should not be viewed with analytical hindsight but instead should be considered from the perspective of a reasonable officer at the time that the situation confronted him or her.

- **Stops based solely on Probable Cause will be documented on an ISR when no other document captures the reason for the detention.**
Based on their training and experience, reasonable inferences that are drawn from observations, other information the officer has, including the sworn members' circumstances, including the totality of the Articulable Suspicion depends on the totality of the facts. Reasonable Articulable Suspicion is an objective legal standard that is less than probable cause but more substantial than a hunch or general suspicion. Reasonable Articulable Suspicion

Reasonable Articulable Suspicion
MUST check either "Reasonable Articulable Suspicion" or "Probable Cause".

Was the stop based on Reasonable Articulable Suspicion or Probable Cause?

What were the factors that LED to the stop?
the detention.

ISRs when no other document captures the reason for stops based solely on PC will be documented on an

• Mental Health/Detox
• ANOV
• Personal Service Citation
• An Arrest
• Pat Downs that Lead To:

For ALL Investigatory Stops and Protective

Investigatory Stop Reports will be submitted

SITUATIONS WHEN ISRS ARE REQUIRED
Disturbances on private property

Encounters not on the public way — e.g., domestic

Relocation of victims/witnesses

Other non-investigative encounters

Encounters on the street

Consensual encounters — e.g., voluntary discussions on

Therefore do not require an ISR

Encounters that do not involve an Investigatory Stop and

Situations when an ISR is NOT Required
Transport Victim/Witness Relocation and Consensual Searches (NOT RED')
Mental Health/Detox will be provided
If an officer conducts a protective pat down a receipt
Search of Effects - Vehicles, purses, backpacks etc.
Protective pat down
Customized Search - search subsequent to arrest beyond a
Protective Pat Down - open hand, outer garments, for weapons

PAT DOWNS, SEARCHES & RECEIPTS
Looting numbers
Gang/Narcotic
Related ISS
Disposition of the Stop
Charges
Receipt Given Box
Receipt Given

COMMON ERRORS WHEN COMPLETING ISS
The Pat Down

No Reasonable Articulable Suspicion for

Deficient Example
On her way home and at this time subject continued on her way.

Revealed prior arrest for soliciting on the public way. Subject stated she was revealed prostitute playing her trade on the public way. Background check

performed on prostitute playing area base on R/Os experience this is the Modus

The purpose of soliciting a ride based on R/Os experience this is the Modus

Above subject stopped for a field interview as she was observed walking back

ABOVE

INVESTIGATORY STOP

NARRATIVE

Subject approached was a name check of the subject was clear.

R/Os approached subject lifted up his jacket without prompting showing R/Os he

The subject at above location R/Os then approached for a field interview upon

Upon the subject a male black wearing a green hat and a red jacket with stripes on

chest and a white hand bag. The area was fairly wet with a large hand bag. The subject

A Green hat

Event #1261

INVESTIGATORY STOP
NARRATIVE

Subject approached with a green hat. Citizen stated that a male black subject wearing a green hat

Good Example